## DOCKET FILE COPY ORIGINAL Mississippi Public Service Commission

NIELSEN COCHRAN, CHAIRMAN JACKSON-FIRST DISTRICT

MICHAEL CALLAHAN, VICE CHAIRMAN HATTIESBURG-SECOND DISTRICT

**BO ROBINSON**, COMMISSIONER HAMILTON-THIRD DISTRICT



BRIAN U. RAY EXECUTIVE SECRETARY (601) 961-5400 WM BRUCE MCKINLEY, ATTORNEY COMMISSION STAFF

BILL SUMMERS, DIRECTOR TRANSPORTATION DEPARTMENT

WILLIE EARL MAY, CHIEF

September 27, 2001

RECEIVED

Magalie R. Salas, Esquire
Office of the Secretary
Federal Communications Commission
445 12<sup>th</sup> Street, N.W.

**FCC MAIL ROOM** 

SEP 2 8 2001

Washington, D.C. 20554

Re: CC Docket No. 96-45; State Certification

Dear Ms. Salas:

In accordance with C.F.R. Section 54.313, Mississippi hereby certifies BellSouth Telecommunications, Inc., as an eligible recipient of high cost funding from the Federal High Cost Fund. BellSouth has demonstrated that it will use the high-cost support for the provision, maintenance, and upgrading of facilities and services to promote universal service as defined in Section 254(e) of the Telecommunications Act of 1996. Attached is a copy of the Commission's order in docket 2000-AD-0040.

In compliance with FCC rule 54.313(b), a copy of this certification letter has been sent to the Administrator of the High-Cost Universal Service Support Mechanism.

Sincerely,

Nielsen Cochran, Chairman

Michael Callahan, Vice-Chairman

Bo Robinson, Commissioner

Enclosure

cc: Director, Universal Services Program

Bobby Waites, Executive Director, MPUS

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# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSISSIPPI

SEP 2 8 2001 FCC MAIL ROOM

DOCKET NO. 2000-AD-040

MISSISSIPPI PUBLIC SERVICE

COMMISSION

IN RE: CERTIFICATION OF THE
CARRIERS RECEIVING FEDERAL
UNIVERSAL SERVICE HIGH-COST
SUPPORT

#### **ORDER**

COMES NOW, the Mississippi Public Service Commission ("Commission") and it appearing to the Commission, for good cause shown and after reviewing the plan for utilization of the year 2002 Federal Universal Service Funding ("USF") submitted by BellSouth Telecommunications, Inc. ("BellSouth"), and this Commission being otherwise sufficiently advised, finds as follows:

- 1. On January 19, 2000, the Commission established this docket to certify, pursuant to the Federal Communications Commission's ("FCC") Universal Service Order<sup>1</sup>, that the use of federal universal service high cost support in Mississippi is consistent with 47 U.S.C. §254(e). In accordance with the FCC's Universal Service Order and with this Commission's Order of January 19, 2000, BellSouth submitted a plan for utilization of the year 2000 Federal Universal Service Funding that was consistent with the principles of universal service as outlined in the Telecommunications Act of 1996 and by the FCC in its Universal Service Order.
- 2. On March 14, 2000, the Commission issued an Order certifying that BellSouth's proposed use of federal universal service high-cost support for the year

<sup>&</sup>lt;sup>1</sup> Federal-State Joint Board on Universal Service Ninth Report and Order and Eighteenth Order on Reconsideration, CC Docket No. 96-45; FCC 99-306, released November 2, 1999 ("Universal Service Order"). See generally paragraphs 93-110.

2000 in Mississippi was consistent with 47 U.S.C. §254(e). The network infrastructure improvements outlined in BellSouth's plan were basically to be accomplished over a three (3) year timeframe. The rate reductions proposed in the plan were to be accomplished in the year 2000.

- 3. On August 25, 2000, BellSouth submitted its detailed plan for utilization of the year 2001 Federal Universal Service Funding for approval by the Commission. The plan submitted on August 25, 2000 proposed a continuation of the network infrastructure improvement plan approved by the Commission in March, 2000. On September 22, 2000, the Commission issued an Order certifying that BellSouth's plan to utilize federal universal service high-cost support in Mississippi as proposed in its continuation plan submitted to the Commission on August 25, 2000, as modified by the Commission in its Order, was consistent with 47 U.S.C. §254(e).
- 4. On September 6, 2001, BellSouth submitted its detailed plan for utilization of the year 2002 Federal Universal Service Funding for approval by the Commission. The plan submitted on September 6, 2001 proposed a continuation of the network infrastructure improvement plan approved by the Commission in March, 2000. In its September 6, 2001 plan, BellSouth is proposing to utilize the federal Universal Service Funding for the year 2002 in order to continue to improve its network infrastructure in the rural areas of the State of Mississippi consistent with the manner in which the Commission has previously reviewed and approved for the federal USF monies for the year 2001.
- 5. The Commission concludes that BellSouth's September 6, 2001 continuation plan for utilization of the Federal Universal Service Fund for the year

2002 is consistent with the Telecommunications Act of 1996 and the pertinent FCC Orders.

IT IS, THEREFORE, ORDERED that the Commission hereby certifies that BellSouth's plan to utilize federal universal service high-cost support in Mississippi as proposed in its continuation plan submitted to the Commission on September 6, 2001, is consistent with 47 U.S.C. §254(e).

Chairman Nielsen Cochran voted Lye; Vice-Chairman Michael Callahan voted Lye; Commissioner Bo Robinson voted Lye.

SO ORDERED on this the \_\_\_\_\_ day of September, 2001.

MISSISSIPPI PUBLIC SERVICE COMMISSION

NIELSEN COCHRÁN, CHAIRMAN

MICHAEL CALLAHAN, VICE CHAIRMAN

BO ROBINSON, COMMISSIONER

ATTEST: A TRUE COPY

BRIAN U. RAY Executive Secretary

### Mississippi Public Service Commission

NIELSEN COCHRAN, CHAIRMAN JACKSON-FIRST DISTRICT

MICHAEL CALLAHAN, VICE CHAIRMAN HATTIESBURG-SECOND DISTRICT

BO ROBINSON, COMMISSIONER HAMILTON-THIRD DISTRICT

September 25, 2001

Magalie R. Salas Office of the Secretary Federal Communications Commission 445-12<sup>th</sup> Street, SW Washington, D.C. 20554



BRIAN U. RAY EXECUTIVE SECRETARY (601) 961-5400

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SEP 2 8 2001 FCC MAIL ROOM WM BRUCE MCKINLEY, ATTORNEY

BILL SUMMERS, DIRECTOR TRANSPORTATION DEPARTMENT

WILLIE EARL MAY, CHIEF LAW ENFORCEMENT

Re:

CC Docket No. 96-45, No. 00-256; October 1st Certification Requirement for Rural Carriers

Dear Ms. Salas:

In accordance with the Federal Communication Commission's ("FCC") requirements in Federal/State Joint Board on Universal Service, Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45 and Report and Order in CC Docket No. 00-256, the Mississippi Public Service Commission hereby certifies that all federal high cost support provided to the following rural carriers will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with Section 254(e) of the Telecommunications Act of 1996:

ALLTEL Mississippi, Inc.
Bruce Telephone Company, Inc.,
CenturyTel of North Mississippi, Inc.
Franklin Telephone Company, Inc.
Frontier Communications of Mississippi, Inc.
Lakeside Telephone Company
Georgetown Telephone Company, Inc.
Noxapater Telephone Company
Smithville Telephone Company, Inc.

Calhoun City Telephone Company, Inc.
Delta Telephone Company, Inc.
Decatur Telephone Company
Fulton Telephone Company
Myrtle Telephone Company, Inc.
Mound Bayou Telephone Company
Sledge Telephone Company

Southeast Mississippi Telephone Company, Inc.

Bay Springs Telephone Company

Attached is a copy of the Commission's order in its Docket No. 01-AD-573.

In accordance with the FCC's mandate, this certification letter is also being sent to Irene Flannery, Universal Service Administrative Company.

Sincerely.

Nielsen Cochran, Chairman

Michael Callahan, Vice-Chairman

Bo Robinson, Commissioner

Enclosure

cc:

Irene Flannery Bobby Waites Randy Tew Vicki Helfrich Brian Ray

BEFORE THE PUBLIC SERVICE COMMISSION FCC MAIL ROOM

MISSISSIPPI PUBLIC SERVICE COMMISSION

**DOCKET NO. 01-AD-573** 

IN RE:

CERTIFICATION OF RURAL CARRIERS RECEIVING FEDERAL UNIVERSAL SERVICE HIGH COST SUPPORT

#### ORDER

THIS DAY, there came on for consideration by the Mississippi Public Service Commission ("Commission") the need to certify to the Federal Communications Commission ("FCC") and to the Universal Service Administrative Company ("USAC") the rural carriers in Mississippi which will use all federal universal service support in accordance with § 254(e) of the Telecommunications Act of 1996 (1996 Act).

After reviewing the entire record of this proceeding, including all plans and comments filed by ALLTEL Mississippi, Inc., Bay Springs Telephone Company, Bruce Telephone Company, Inc., Calhoun City Telephone Company, Inc., CenturyTel of North Mississippi, Inc., Delta Telephone Company, Inc., Franklin Telephone Company, Inc., Decatur Telephone Company, Frontier Communications of Mississippi, Inc., Fulton Telephone Company, Lakeside Telephone Company, Myrtle Telephone Company, Inc., Georgetown Telephone Company, Inc., Mound Bayou Telephone Company, Noxapater Telephone Company, Sledge Telephone Company, Smithville Telephone Company, Inc., and Southeast Mississippi Telephone Company, Inc. and upon the recommendation of the Public Utilities Staff, this Commission finds as follows:

On August 14, 2001, the Commission established this Docket to certify, pursuant to the 1. FCC's mandate in Federal/State Joint Board on Universal Service, Fourteenth Report and Order, Twenty-Second Order on Reconsideration, and Further Notice of Proposed Rulemaking in CC Docket No. 96-45. and Report and Order in CC Docket No. 00-256 that all federal universal service support provided to rural carriers in Mississippi will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended and consistent with § 254(e) of the 1996 Act.

2. The following rural carriers submitted plans and comments to ensure compliance with the FCC mandate and § 254(e) of the 1996 Act:

ALLTEL Mississippi, Inc. Bay Springs Telephone Company Bruce Telephone Company, Inc. Calhoun City Telephone Company, Inc. CenturyTel of North Mississippi, Inc. Delta Telephone Company, Inc. Franklin Telephone Company, Inc. Decatur Telephone Company Frontier Communications of Mississippi, Inc. Fulton Telephone Company Lakeside Telephone Company Myrtle Telephone Company, Inc. Georgetown Telephone Company, Inc. Mound Bayou Telephone Company Noxapater Telephone Company Sledge Telephone Company Smithville Telephone Company, Inc. Southeast Mississippi Telephone Company, Inc.

3. The Commission finds that based upon a review of each of the plans and comments filed by the above-named rural carriers, the Commission hereby certifies to the FCC that the above-identified rural carriers will utilize all federal universal service support only for the provision, maintenance and upgrading of facilities and services for which the support is intended and consistent with § 254(e) of the 1996 Act.

IT IS, THEREFORE, ORDERED, that the Commission hereby certifies to the FCC and to the USAC, that the plans and comments of ALLTEL Mississippi, Inc., Bay Springs Telephone Company, Calhoun City Telephone Company, Inc., CenturyTel of North Mississippi, Inc., Delta Telephone Company, Inc., Franklin Telephone Company, Inc., Decatur Telephone Company, Frontier Communications of Mississippi, Inc., Fulton Telephone Company, Lakeside Telephone Company, Myrtle Telephone Company, Inc., Georgetown Telephone Company, Inc., Mound Bayou Telephone Company, Noxapater Telephone Company, Sledge Telephone Company, Smithville Telephone Company, Inc., and Southeast Mississippi Telephone Company, Inc. are consistent with the 1996 Act and the pertinent FCC orders and that each named carrier will utilize all federal high-cost universal service funding in accordance with § 254(e) of the 1996 Act and pertinent orders of the FCC.

IT IS FURTHER ORDERED, that this order and letter of certification shall be transmitted to the FCC and to the USAC.

IT IS FURTHER ORDERED, that this order shall be effective upon its issuance.

SO ORDERED on this 24 th day of Spotember, 2001.

Chairman Nielsen Cochran voted My; Vice-Chairman Michael Callahan voted

Commissioner Bo Robinson voted

MISSISSIPPI PUBLIC SERVICE COMMISSION

Nielsen Cochran, Chairman

Midhael Callabay, Vice-Chairman

Bo Robinson, Commissioner

ATTEST:>A True Copy

BRIAN U. RAY
Executive Secretary